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**U.S. District Court
Eastern District of Louisiana (New Orleans)
CIVIL DOCKET FOR CASE #: 2:23-cv-03021-SM-KWR**

Ness Healthcare NFP v. Starr Surplus Lines Insurance Company
Assigned to: Judge Susie Morgan
Referred to: Magistrate Judge Karen Wells Roby
Cause: 28:1332 Diversity-Insurance Contract

Date Filed: 08/02/2023
Date Terminated: 10/23/2023
Jury Demand: Plaintiff
Nature of Suit: 110 Insurance
Jurisdiction: Diversity

Plaintiff

Ness Healthcare NFP
doing business as
Northlake Behavioral Health System

represented by **Anthony D. Irpino**
Irpino, Avin & Hawkins (New Orleans)
2216 Magazine Street
New Orleans, LA 70130
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Email: airpino@irpinolaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Krystena L. Harper
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ATTORNEY TO BE NOTICED

V.

Defendant

Starr Surplus Lines Insurance Company

represented by **Lee Ann Thigpen**
Robins Kaplan LLP
5760 I-55 North
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Jackson, MS 39211
612-349-0191
Fax: 612-339-4181
Email: Lthigpen@robinskaplan.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Interested Party

Hurricane Ida Program Administrator
TERMINATED: 10/17/2023

represented by **Francis Joseph Lobrano**
Carver, Darden, Koretzky, Tessier, Finn,
Blossman & Areaux
Energy Centre

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Suite 3100
New Orleans, LA 70163
504-585-3800
Email: lobrano@carverdarden.com
TERMINATED: 10/17/2023
LEAD ATTORNEY

Date Filed	#	Docket Text
08/02/2023	<u>1</u>	COMPLAINT with jury demand against Starr Surplus Lines Insurance Company (Filing fee \$ 402 receipt number ALAEDC-10061278) filed by Ness Healthcare NFP. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons)Attorney Krystena L. Harper added to party Ness Healthcare NFP(pty:pla).(Harper, Krystena) (Attachment 1 replaced on 8/3/2023) (cs). (Attachment 2 replaced on 8/3/2023) (cs). Modified image/text on 8/3/2023 (cs). (Entered: 08/02/2023)
08/02/2023	<u>2</u>	Initial Case Assignment to Judge Susie Morgan and Magistrate Judge Karen Wells Roby. (ess) (Entered: 08/02/2023)
08/03/2023	<u>3</u>	HURRICANE IDA CLAIMS AMENDED CASE MANAGEMENT ORDER NO. 1 with addendum. Signed by Chief Judge Nannette Jolivet Brown on 10/25/2022.(cs) (Entered: 08/03/2023)
08/03/2023	<u>4</u>	Summons Issued as to Starr Surplus Lines Insurance Company. (cs) (Entered: 08/03/2023)
08/03/2023	<u>5</u>	Correction of Docket Entry by Clerk re <u>1</u> Complaint. Filing attorney did not properly format the pdf of the Civil Cover Sheet and Summons. The pdf should not still be fillable. When using a FORM, fill in the applicable fields then click the red PRINT button and print the document to pdf format. Clerk has taken corrective action. (cs) (Entered: 08/03/2023)
09/06/2023	<u>6</u>	ANSWER to <u>1</u> Complaint, by Starr Surplus Lines Insurance Company. Attorney Lee Ann Thigpen added to party Starr Surplus Lines Insurance Company(pty:dft).(Thigpen, Lee Ann) Modified text on 9/7/2023 (cs). (Entered: 09/06/2023)
09/14/2023	<u>7</u>	DEFICIENT ----SUMMONS Returned Executed; Starr Surplus Lines Insurance Company served on 8/16/2023, answer due 9/6/2023. (Attachments: # <u>1</u> Exhibit Executed Certified Green Card)(Harper, Krystena) Modified text on 9/15/2023 (cs). (Entered: 09/14/2023)
09/15/2023	<u>8</u>	Statement of Corporate Disclosure by Starr Surplus Lines Insurance Company identifying Corporate Parent Starr Global Financial, Inc., Corporate Parent, Starr Insurance Holdings, Inc., Corporate Parent Starr Global Holdings AG, Corporate Parent Starr International Company, Inc. for Starr Surplus Lines Insurance Company. (Thigpen, Lee Ann) Modified text/added corporate parents on 9/18/2023 (js). (Entered: 09/15/2023)
09/15/2023	<u>9</u>	SUMMONS Returned Executed; Starr Surplus Lines Insurance Company served on 8/16/2023, answer due 9/6/2023. (Attachments: # <u>1</u> Exhibit)(Harper, Krystena) Modified text on 9/18/2023 (js). (Entered: 09/15/2023)
09/19/2023	<u>10</u>	HURRICANE IDA CLAIMS Second Amendment to CMO No. 1. Signed by Chief Judge Nannette Jolivet Brown on 09/12/2023.(lag) (Entered: 09/19/2023)
09/21/2023	<u>11</u>	**DEFICIENT** Request by Starr Surplus Lines Insurance Company for <i>Petition to Opt out of Streamlined Settlement Program</i> (Attachments: # <u>1</u> Exhibit 1)(Thigpen, Lee Ann) Modified on 9/22/2023 (js). (Entered: 09/21/2023)
09/25/2023	<u>12</u>	MOTION to Opt Out of Streamlined Settlement Program by Starr Surplus Lines Insurance

		Company. Motion(s) referred to Karen Wells Roby. Motion(s) will be submitted on 10/11/2023. (Attachments: # <u>1</u> Notice of Submission, # <u>2</u> Memorandum in Support , # <u>3</u> Exhibit 1)(Thigpen, Lee Ann) Modified text on 9/26/2023 (cs). (Entered: 09/25/2023)
09/26/2023	<u>13</u>	Correction of Docket Entry by Clerk re <u>12</u> MOTION to Opt Out of Streamlined Settlement Program . Filing attorney selected incorrect submission date. Correct date is 10/11/2023. Clerk took corrective action. (cs) (Entered: 09/26/2023)
09/28/2023	<u>14</u>	HURRICANE IDA CLAIMS Third Amendment to CMO No. 1. Signed by Chief Judge Nannette Jolivet Brown on 09/14/2023.(lag) (Entered: 09/28/2023)
10/05/2023	<u>15</u>	MOTION to Transfer Case by Starr Surplus Lines Insurance Company. Motion(s) will be submitted on 10/25/2023. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Notice of Submission, # <u>3</u> Affidavit, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4)(Thigpen, Lee Ann) (Entered: 10/05/2023)
10/06/2023	<u>16</u>	Amended Exhibit A to Hurricane Ida Case Management Order. (lag) (Entered: 10/06/2023)
10/06/2023	<u>17</u>	NOTICE: Because R. Doc. <u>15</u> contains more than 50 pages, counsel shall deliver to chambers within 3 working days one hard copy of the submission in a binder as set forth in notice. Signed by Clerk.(bwn) (Entered: 10/06/2023)
10/10/2023	<u>18</u>	**FILED IN ERROR – FILED IN WRONG CASE** MOTION to Opt Out of Streamlined Settlement Program by Starr Surplus Lines Insurance Company. Motion(s) referred to Karen Wells Roby. Motion(s) will be submitted on 10/25/2023. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Notice of Submission, # <u>3</u> Exhibit 1)(Thigpen, Lee Ann) Modified on 10/10/2023 (am). (Entered: 10/10/2023)
10/10/2023	<u>19</u>	Correction of Docket Entry by Clerk re <u>18</u> MOTION to Opt Out of Streamlined Settlement Program. **Document marked as filed in error; filed in wrong case.** (am) (Entered: 10/10/2023)
10/17/2023	<u>20</u>	ORDER granting <u>12</u> Motion to Opt Out of the Streamlined Settlement Program. Signed by Magistrate Judge Karen Wells Roby on 10/17/2023. (rt) (Entered: 10/17/2023)
10/23/2023	<u>21</u>	MOTION to Stay <i>Initial Disclosure Requirement until this Court Decides Starr's Motion to Transfer this Action to the USDC for the SDNY Pursuant to the Policy's Choice of Law Provision</i> by Starr Surplus Lines Insurance Company. Motion(s) will be submitted on 11/8/2023. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Notice of Submission)(Thigpen, Lee Ann) (Entered: 10/23/2023)
10/23/2023	<u>22</u>	ORDER AND REASONS: IT IS ORDERED that Defendant Starr's <u>15</u> motion for transfer is GRANTED. This matter is hereby TRANSFERRED to the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. § 1404(a). Signed by Judge Susie Morgan on 10/23/2023.(pp) (Entered: 10/23/2023)